

**TESTIMONY BEFORE THE SENATE NATURAL RESOURCES  
AND ENERGY COMMITTEE**

**HOUSE BILL NO. 831**

**Utility Solutions, LLC**

**Don MacIntyre**

**April 4, 2007**

✓42-8283

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING WATER LAWS IN CLOSED BASINS ...."

**Testimony**

My name is Don MacIntyre. I represent Utility Solutions, LLC. I appear at this hearing in support of HB 831. Utility Solutions supports HB 831, as amended, because it address the *Trout Unlimited v. DNRC* case and provides an avenue for the development of ground water.

The importance of HB 831, as amended, is that it standardizes transmittal information to the Department of Natural Resources and Conservation (DNRC). It is important to applicants that they have clear direction on the information necessary to move their applications to the point of being correct and complete without substantial delay.

Utility Solutions favors the protection of existing water users through the mitigation of adverse impacts on existing water rights. HB 831, as amended, through the use of hydrologic assessments will greatly aid in the development of mitigation plans to achieve the desired goal.

There is no argument that cities and towns should fall within the exceptions of the basin closures. House Bill 831, as amended, is narrowly drafted by limiting the exception to incorporated cities and towns. The fact of the matter is that sewer and water districts are the tool used by unincorporated towns to develop infrastructure to serve their water needs. This committee should give consideration to adding such districts to the bill.

Utility Solutions believes that Section 19 regarding water quality is inconsistent and ambiguous. The Bill should clearly set out the standard that the legislature intends so as to leave no doubt as to what an applicant is expected to do to achieve compliance.

Finally, Utility Solutions support of HB 831, as amended, is based on the underlying understanding that the Bill is being proposed to give more clear direction to DNRC so that it may process applications in a timelier manner as contemplated by the Water Use Act and not elongate or confuse the process.